

01-26-01

PTO/SB/05 (08/00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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01/25/01
U.S. PTO
0960UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	061607-1400
First Inventor	William L. Betts
Title	Embedded Signal Constellations
Express Mail Label No.	EL492180275US

01/25/01
U.S. PTO
0950

APPLICATION ELEMENTS See MPEP Chapter 600 concerning utility patent application contents	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
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 APPLICANT REQUESTS EARLY PUBLICATION UNDER 37 CFR 1.219 (additional fee)

1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original, and a duplicate for fee processing)	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
2. <input type="checkbox"/> Applicant claims small entity status.	8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
3. <input checked="" type="checkbox"/> Specification (preferred arrangement set forth below)	a. <input type="checkbox"/> Computer Readable Copy (CRF)
<ul style="list-style-type: none"> - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed. Sponsored R&D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure 	
4. <input checked="" type="checkbox"/> Drawing(s) (35 USC 113)	9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & Documents(s))
5. <input type="checkbox"/> Oath or Declaration	10. <input type="checkbox"/> 37 CFR 3.73(b) Statement (when there is an assignee) <input checked="" type="checkbox"/> Power of Attorney
a. <input checked="" type="checkbox"/> Newly Executed (original or copy)	11. <input type="checkbox"/> English Translation Document (if applicable)
b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed)	12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations
i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).	13. <input type="checkbox"/> Preliminary Amendment
6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
<p>Assignee: Paradyne Corporation Name and Address (if applicable): P.O. Box 2826, 8545 126th Avenue, North Largo, Florida 33773</p>	
18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:	
<input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: / Prior application information: <u>Examiner</u> _____ Group / Art Unit: _____	
For CONTINUATION OR DIVISIONAL APPS only the entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. This incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts	

18. CORRESPONDENCE ADDRESS



Customer Number or Bar Code Label

24504

(Insert Customer No. or Attach bar code label here)



Correspondence address below

NAME	Scott A. Horstemeyer Thomas, Kayden, Horstemeyer & Risley, L.L.P.				
ADDRESS	100 Galleria Parkway Suite 1750				
CITY	Atlanta	STATE	Georgia	ZIP CODE	30339-5948
COUNTRY	U.S.A.	TELEPHONE	770-933-9500	FAX	770-951-0931

Name (Print/Type)

Michael J. Tempel

Registration No. (Attorney/Agent)

41,344

Signature

01/25/01

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 974.00)

Complete If Known

Application Number	To Be Assigned
Filing Date	January 26, 2001
First Named Inventor	William L. Betts
Examiner Name	To Be Assigned
Group / Art Unit	To Be Assigned
Attorney Docket No.	061607-1400

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge to the following Deposit Account,

Deposit Account Number

16-0255

Deposit Account Name

Paradyne Corporation's

Charge all indicated fees and any additional fee required or credit any overpayment.

Charge any additional fee required and requested to credit any overpayment.

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Money Order Credit Card

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	\$710
106	320	206	160	Design filing fee	\$
107	490	207	245	Plant filing fee	\$
108	710	208	355	Reissue filing fee	\$
114	150	214	75	Provisional filing fee	\$
SUBTOTAL (1)					(\$710)

2. EXTRA CLAIM FEES

		Extra Claims	Fee from below	Fee Paid
Total Claims	28	-20**= 8	x 18.00	= 144
Independent Claims	4	-3** = 1	x 80.00	= 80
Multiple Dependent			270.00	=

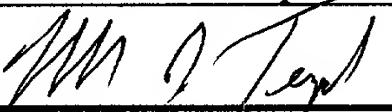
**or number previously paid, if greater; For Reissue, see below

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent Claims in excess of 3
104	270	204	135	Multiple dependent claims in excess of 3
109	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				(\$934)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Entity Fee (\$)	Small Entity Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension of time within second month	
117	890	217	445	Extension of time within third month	
118	1,390	218	695	Extension of time within fourth month	
128	1,890	228	945	Extension of time within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt.	
581	40	581	40	Recording each patent assignment per property (time number of properties)	40
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)				Publication Fee \$300.00	
Other fee (specify)				Early Publication Fee \$130.00	
*Reduced by Basic Filing Fee Paid				SUBTOTAL (3)	40

SUBMITTED BY		Complete (if applicable)		
Typed or Printed Name		Signature		Reg Number
Michael J. Tempel				41,344
Date	01/25/01	Deposit Account User ID		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO Assistant Commissioner for Patents, Washington, DC 20231.

10591
 U.S. PTO
 01/25/01
 JCP29

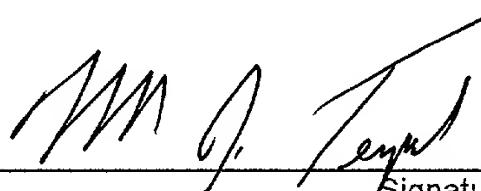
**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	William L. Betts
Title	Embedded Signal Constellations
Attorney Docket No.	061607-1400

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

01/25/01

Date



Signature

Michael J. Tempel

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: William L. Betts

For: Embedded Signal Constellations

JC929 U.S. PTO
08/17/01 9591
01/25/01

CERTIFICATE OF EXPRESS MAIL

Assistant Commissioner for Patents

BOX: Patent Application

Washington, D.C. 20231

Sir:

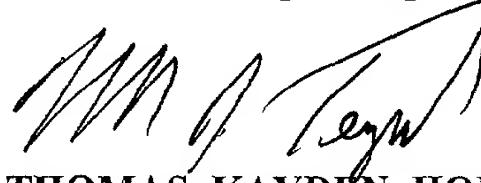
Enclosed for filing in the above case are the following documents:

- Return Postcard
- Utility Patent Application Transmittal Page
- Fee Transmittal Page
- Utility Patent Application Consisting Of:
 - 25 Pages of Specification
 - 6 Pages of Claims
 - 1 Pages of Abstract
 - 11 Pages of Formal Drawings
- Assignment of Utility Patent Application
- Assignment Cover Sheet
- Declaration for Patent Application
- Request and Certification Under 35 U.S.C. 122(b)(2)(B)(I)
- Data Application Data Entry Form
- Authorization to charge Paradyne's deposit account in the amount of \$974.00 for Application and Assignment recording fees.

Further, the Commissioner is authorized to charge Deposit Account No. 16-0255 for any additional fees required. The Commissioner is requested to credit any excess fee paid to Deposit Account No. 16-0255.

Respectfully submitted,

Michael J. Tempel, Reg. No. 41,344



**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**
100 Galleria Parkway, N.W.
Suite 1750
Atlanta, Georgia 30339-5948

Our Docket No: **61607-1400**

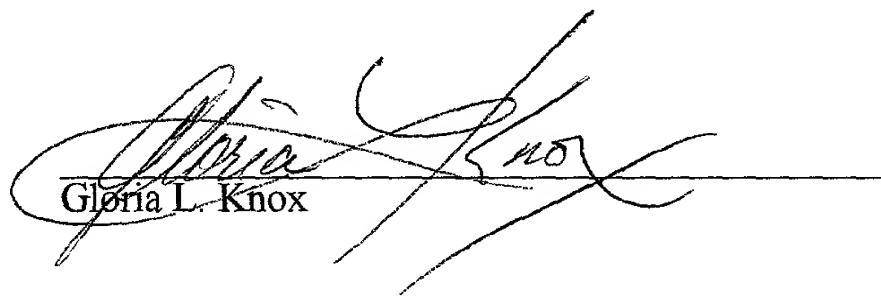
Our Docket No: **61607-1400**

I hereby certify that all correspondences listed above are being deposited for delivery to the above addressee, with the United States Postal Service "**EXPRESS MAIL POST OFFICE TO ADDRESSEE**" service under 37 CFR §1.10 on the date indicated below:

The envelope has been given U.S. Postal Service "Express Mail Post Office To Addressee" Package # **EL492180275US**.

Date:

January 25, 2021


Gloria L. Knox